

## HAWAIIAN GAZETTE

BODER: MATHESON EDITOR

Entered as Second-Class Matter, Postoffice of Honolulu, N. T., Second-Class matter. Semi-Weekly—Issued Tuesdays and Fridays.

Subscription Rates:  
Per Month, Foreign \$ 35  
Per Year, Foreign \$3.00 Per Year, Foreign \$4.00

Payable Invariably in Advance.

CHARLES S. CRANE, Manager.

FRIDAY : : : : : JUNE 16

## MAHUKA DUST.

If anyone with eyes could not compare without the least trouble the relative areas of the Mahuka site and the proposed site for the federal building on the civic center, the repeated statements about "crowding" the buildings on the latter site would be malicious. As it is, however, with the possibility of anyone seeing the foolishness of the contention, the statements are only ridiculous.

The Mahuka site is not as large in any one way as the Irwin site. The longest side of the Mahuka site, that on Merchant street, is shorter than the shortest side of the Irwin site, that on Queen street. In number of square feet, the Irwin site is nearly twice as big as the Mahuka site, and why a building should be crowded on the larger area and still find room not to be crowded on the smaller area is something beyond the power of ordinary reasoning.

The Irwin site is thirty feet deeper than the Mahuka site and is deeper than it is wide.

Constant reference is also being made to the "customary solid-block" style of federal buildings, although where any such a building has gone up within the past ten years no one knows. For the sake of pleading against the proper utility of the civic center that could be a civic center such as few cities have the opportunity of acquiring without the expenditure of millions and the destruction of much property, some of the Mahuka site advocates are taking for granted and arguing on that basis that the Honolulu federal building is to be some sort of a barn-like structure.

This is unjust to the architects and wholly unwarranted in view of the extreme generosity shown by the architects in withholding their drawings until such time as a site is provided whereon may be built a structure such as the architects desire to plan. Writing recently to the Delegation, Messrs. York & Sawyers said:

"This work, representative of the United States government to the citizens of Honolulu, of the Territory, and to all those who enter our country through the western gateway, is as important as anything we will ever do; as the department of commerce and labor building, which has just been awarded to us; as the Rockefeller Hospital, now finished, or our New York Historical Society building."

This does not sound as if the architects intended to take a straight-edge and rule off a parallelogram to label: "Plans for Federal Building, Honolulu." The architects desire to have something creditable to the United States as well as to themselves and are prepared to send a representative on a second trip to Honolulu to draw the plans for a building to fit the environments.

Of course, if there are enough people in Honolulu of the "public-bled-damned" style to block the plain desire of the majority to have what is offered in the federal building matter in the way of civic beauty, the blocking can probably be kept up until such time as the appropriation is canceled and there will be no building at all.

## JOHN HAYS HAMMOND, CORONATION AMBASSADOR.

When, on the twenty-second of the present month, George V. is crowned King of Great Britain and Ireland, the United States Government will be represented by a man who stands for real Americanism, writes a correspondent of the American Review of Reviews for June, one of the most successful of living American business men, and probably the best known and most highly paid mining engineer in the world, Mr. John Hays Hammond. Mr. Hammond, who is now in his fifty-seventh year, is known in three continents for his engineering achievements. He is a Yale graduate, and a close friend of President Taft. In 1893 he became consulting engineer for Barnard Brothers, the South African promoters, and later for Cecil Rhodes, the British Empire builder, one of whose strongest and most enthusiastic supporters he soon became. He was consulting engineer of the Consolidated Gold Fields of South Africa, and of the British South African Company, and one of the four leaders in the reform movement in the Transvaal in 1895 and 1896. For his participation in the famous Jameson raid he was arrested and sentenced to death, and later to imprisonment, which sentence was finally suspended altogether on payment of a heavy fine. Mr. Hammond has lectured extensively at all the great American universities, and has contributed to scientific magazines all over the world. Three years ago he was prominently mentioned as Republican Vice-Presidential candidate. More than once has the President tried to make him accept public office, but he has refused a place in the cabinet and several big foreign missions. He accepted the special ambassadorship to the coronation, he has said, "only because of its temporary nature, his chief business being the bridling of rivers, the melting of metal, and the making of fun for his friends." The two most noteworthy things about Mr. Hammond are his large, vigorous personality and his clever, helpful wife. Hammond is, in every sense of the word, an American who has achieved. Beginning life with a good education and plenty of courage—and nothing else—he fell into the company of energetic men, and was keyed up to do his best. He has worked in every part of the world; he has found and developed oil wells, he owns, and has developed, water-power sites, and, in general, has taken many fortunes out of the ground for himself and others. He is a type of man that builds up new countries. Like Cecil Rhodes, and so many other characters of whom Britain herself is proud, it is quite fitting that he should represent the United States Government and the American people at the coronation of King George. While in London, during the coronation festivities, he and his wife will be the guests of the Burdett-Coutts.

## COTTON UNDER BOLL WEEVIL CONDITIONS.

That the boll weevil, which wrought damage to the extent of millions throughout the South and which is now threatening to wipe out the local cotton industry in its inception is not unconquerable is shown by references to the work done in "agricultural statesmanship" by Seaman A. Knapp, which appears in the current Review of Reviews from the pen of Wallace Buttrick. In the beginning and for many years the average cotton grower did not select his seed, explains Mr. Buttrick, but took it as it came from the gin. Dr. Knapp taught that the first necessity of a growing crop is good seed. He found and furnished seed which through careful selection for many years had developed strong reproductive powers. A seed requires well-prepared soil. Dr. Knapp taught the planter how to prepare the seed-bed by deep fall plowing and adequate fertilizing. The cotton plant, like all other plants, gets most of its growth from light air. Dr. Knapp taught the planter to plant his cotton in rows wide apart, to thin out the "cotton weed" in the rows so that the plant might have the benefit of light and air, and to run the cultivator constantly. The result, well known to all who are familiar with this chapter of experiences, was that the cotton plant, under intensive cultivation, produced its boll before the weevils were ready to lay their eggs. This insured a crop, and in the very regions where the boll weevil had done its most deadly work cotton was again successfully grown.

## A DISCOVERY IN SECRET.

The Bulletin has discovered the secret of the opposition to Governor Frear, which it has been dilating on for some time with the air of one who knows all about it but who is too delicate to tell. The Bulletin says:

Delegate Kuhio's statement to the San Francisco reporters that he may propose a commission to come down here and investigate the situation on things in general and Governor Frear in particular, immediately identifies the storm center of the campaign against Governor Frear. It tallies with proposals that have been made before from what might, on a pinch, be designated as non-partisan sources.

Which is all very fine, so far as it goes. But who or what is the Bulletin trying to talk about? Who are the ones willing to defeat Frear "at any cost" and what are they kicking about?

The boys at Lahaina are making money while being educated. So are the prisoners in the county jail.

## REMEMBER THE MAINE.

In anticipation of what the experts will learn from the hazy wreck of the battleship Maine, soon to be high and dry within its steel caissons in the harbor of Havana, the government appears to be giving publicity to a number of reports on the explosion which sent the then great fighting ship to the bottom, with hundreds of her crew, was in reality an internal explosion and one for which the Spaniards in Havana had neither foreknowledge nor participation.

One report, which goes deeply into the matter, made to the government nine years ago by Rear-Admiral Melville on request of Thomas B. Reed, former Speaker of the house, is now published for the first time in the June number of the North American Review. When he presented his report, Admiral Melville was engineer-in-chief of the Navy, and competent to express the decided opinion he does.

It is interesting at the present time, when it is hoped to prove conclusively whether "Remember the Maine" may be still said as a justification for the war fever that swept the country, or something to be quoted in future as a warning against too-hasty conclusions, to read Admiral Melville's reasoning why the Maine was accidentally destroyed and to note his praise of the punctilious honor and the bravery of the Spanish officers and officials. It is interesting, as well, to have the fact recalled at this particular time that in the history of the American Navy explosions on board warships have occurred in connection with more than one remarkable event.

"The first steam vessel for war purposes in the United States Navy, or in any navy for that matter, was the Demologos or Fulton," wrote the admiral. "This vessel was designed by Robert Fulton and built under his supervision in New York in 1814 while the war with Great Britain was going on. On the 4th of July, 1815, the Demologos made a passage from New York City to the ocean and back, steaming fifty miles in all without any aid from her sails. Robert Fulton died in 1815 before the final touches were put on the vessel. With his death the interest in the vessel abated, and the Demologos was taken to the Brooklyn navy yard and used as a receiving ship for many years. On the 4th day of June, 1820, her magazine, containing two and one-half barrels of damaged powder used for firing the morning and evening gun, blew up, entirely destroying the vessel, killing twenty-four persons and wounding nineteen others. The cause of the explosion has never been known, although there was a tale current at the time that it was the deliberate act of a gunner's mate who had been flogged the morning of the day on which the catastrophe occurred. It is also said to have resulted from gross carelessness, survivors stating that the powder was kept in open bags. \* \* \* Whatever the cause, the destruction was complete and terminated the history of the first steam-vessel of war ever built. It would seem as if it ought to have been an easy matter to determine the cause of such an explosion.

"It may be now interesting to tell something of the U. S. S. Princeton, the first steam war vessel fitted with screw propellers, and of a gun explosion which took place on board that ship. The Princeton was designed by John Ericsson and was completed in 1844. She was exhibited as a marine wonder at various places along the coast. On February 28, 1844, the Princeton sailed from Washington on a pleasure and trial trip down the Potomac River, having on board President Tyler and his cabinet. There was also on board a distinguished party of civil and military officials, invited by Captain Stockton to witness the performance of the vessel and her machinery. This trip down the river was a great success. On the return trip one of those irresponsible persons who are always doing something that ought not to be done, and whose names are never known afterward, wanted to have the big gun known as 'Peacemaker' fired again 'just for fun.' Although Captain Stockton dissented at first, as the guns had been thoroughly exercised earlier in the day, he yielded, however, upon the good-natured wish expressed by the secretary of the navy to let the guests have all the sport that they wished. The gun was fired. It burst, injuring many people, among them Captain Stockton himself. The Hon. Abel P. Upshur, secretary of state, and Hon. Thomas W. Gilmer, secretary of the navy, were killed, as were also other distinguished guests. It is to be expected that on board a man-of-war which was carrying such distinguished guests as the President of the United States, the secretary of state, and the secretary of the navy, extra precautions would be taken in the firing of the gun, and there is no doubt that unusual care was exercised that day. Nevertheless, despite the special injunction of the officers to exercise care, the gun did explode. \* \* \* The incident proves that responsibility for explosions can not be evaded by simply showing that unusual care had been taken to prevent any such accident."

## IT IS NOW OR NEVER.

An afternoon paper, which is worrying over what the civic center federal building site advocates intend to do with the Hawaiian Operahouse—talking in the federal building discussion as if the operahouse were fixed and immovable—has suddenly shifted ground and has sprung a brand new idea, which includes picking the operahouse up and transporting it to the site being advocated for the federal building. What could not be removed to make room for a federal building, evidently can be shifted around at will to squat on the proposed public building site. We quote:

What the Star would like to see is the purchase of the two Irwin sites for a park, including the operahouse and putting that structure, neatly remodeled, in the center, using its income to keep the park beautiful. Then, with the Carnegie library on the Hopper site and a city hall where the automobile barn and the shacks are, and with the gore added to the park area, Honolulu would have as charming a civic center as its most artistic impulses could desire. A splendid idea, truly, but who is going to carry it out? No one supposes that private individuals are going to pick up the operahouse and place it in the center of a park made up of privately owned land just to fill up the best available federal building site and force the erection of the federal building on the downtown site, while the idea of the legislature or board of supervisors doing anything of the kind is too improbable for consideration.

Those who believe the Mahuka site is the proper place for the federal building have a perfect right to think so and say so, but it is surely not necessary to keep advancing silly alternatives to the civic center idea. Those who advocate the Irwin site do so because there is now a practical possibility of establishing for all time the civic center and preserving for its obviously most proper use the Palace Square.

This may be done now with Uncle Sam's money. It is doubtful if another opportunity will ever arise. It is not probable that the Irwin property will be held indefinitely, waiting for some improbable territorial or municipal burst of civic pride sufficient to induce an appropriation to acquire the land for public purposes.

So far as an adequate civic center is concerned it seems to be now or never.

## SOME GOOD AMID MUCH FOLLY.

The supervisors did the logical thing last night in passing the Building Ordinance and the Mayor will probably sign it without delay, his former suggestion of a possible veto having been explained as merely a mayoralty joke. Honolulu will be years recovering from the damage done in the way of the erection of unsanitary and unsafe tenements since the time when the last board began shuffling along through its term of uselessness, holding up the passage of the law. However, let us hope that the present ordinance will be of some immediate benefit. That it will be of benefit within a few years is assured, provided it can not wholly be knocked out by the technicality-loving courts.

Last night's good record of the supervisors in this matter was sadly marred, however, by the revelation of farcical management in the county jail, made public through the airing of a quarrel between two of the committee chairmen. It appears that not only are Dwight and Murray engaged in a quarrel of a peacemaker nature, but because of it the prisoners have been allowed to go on strike, have been allowed to select the work they are to be called upon to do during their terms and to exhibit insubordination within the jail premises. To cap the climax, it is now announced that they are to be paid wages—insignificant, it is true—but something from the city treasury for the loafing they do on the streets and the choruses they sing in the parks.

Murray objects to prison labor coming into competition with the voting road laborers and also objects to the prerogatives of the police committee, of which he is chairman, being taken away from him by the chairman of the road committee, the sapient Dwight, who, pig-headed as usual, will neither discuss the matter with his colleague nor exhibit any other indication of reason.

It is rather discouraging for the average citizen, who wants to be able to support the supervisors and find something praiseworthy in their work, to be compelled to witness incident after incident of this nature. It is the shame of Honolulu that the city's governing board consumes so much of its time in squabbles of the nature of the one now monopolizing supervisory attention and in debating such minor matters as the appointment of a girl clerk in some department.

These things are nauseating to everyone, with the exception of the growing number of citizens who hope to hasten the day when Honolulu's municipal affairs will be directed from the headquarters of the military district.

## CASTRO-FRANCA WEDDING



HON. A. D. CASTRO AND HIS BRIDE, FORMERLY MISS MARY FRANCA.

St. Augustine's Chapel, Waikiki, was the scene last evening of a decidedly interesting wedding, in which two of the best-known and most popular young people in the local Portuguese colony became man and wife, the Hon. Antonio Castro taking as his bride Miss Mary Franca, daughter of Adeline P. Franca. The ceremony was performed by Father Valentin, who expressed his pleasure, in his address prior to the ceremony, at being able to unite in wedlock two as well-liked people as those before him at the altar, whom he had watched grow up and become useful members of the community.

The beautiful little chapel was decked with flowers and palms for the affair, the altar lights illuminating the marriage party and the floral decorations, while leaving the body of the chapel in a cathedral dimness. A number of prominent men of the city, government officials and others, as well as the relatives of the contracting parties, were present at the ceremony at the church and afterwards at a reception given to Mr. and Mrs. Castro at the home of the bride's mother.

It was shortly after eight o'clock when the groom stepped from the vestry to the altar to await the bride, and as the organ began to peal forth the wedding march from Lohengrin, played by Mrs. George Schneider, the bridal party entered the church. The bride beautifully dressed in Brussels net over shimmering satin and wearing a trailing bridal veil, was escorted by Manuel Vierra, her brother-in-law, who gave her away. The bridesmaid was her sister Miss Adelaide Franca. The groom's brother, J. D. Castro, who came here from Oakland for the ceremony, was best man.

Following the ceremony the bridal party left by automobile for the reception, where the congratulations of the guests, the intimate friends and relatives, were poured upon the young couple.

Mr. and Mrs. Castro left after the reception for Haleiwa, where the honeymoon will be spent.

Supreme Court finds Refund Act of last session invalid. However, laudable may have been the motive which prompted the legislature to enact this statute, to sustain its validity would be to ignore plain legal principles and to set a precedent which, if followed, would lead to disastrous consequences. This is the trenchant language in which Chief Justice Robertson of the supreme court of the Territory yesterday sustained the ruling of Auditor Fisher that he could not issue a warrant upon the treasurer for \$5000 voted to John A. Cummins by the last legislature for the purpose of refunding the fine paid by him after he pleaded guilty to treason in 1895.

The chief justice further states that the act for the relief of Cummins "trenches upon the judicial power, and it constitutes an attempt to divert public funds to private use without any moral obligation or other consideration of public policy to support it. It is not, therefore, a rightful subject of legislation."

Justice Perry concurs in the decision of the chief justice, but Justice De Bolt dissents. The ruling against Cummins is therefore two to one.

In the course of his exhaustive opinion Chief Justice Robertson finds that "the auditor of this Territory may invoke the invalidity of a statute in defense of his action in refusing to allow a claim."

"An appropriation of money by the legislature to refund the amount of a fine paid pursuant to a judgment of a court of competent jurisdiction, upon the assumption that the accused was innocent, is an illegal attempt to exercise judicial functions."

"It is beyond the power of the legislature to authorize the expenditure of money raised by taxation by way of gift or gratuity to individuals in the absence of, at least, a moral obligation to support the appropriation."

"The courts are not always concluded by a legislative opinion or finding that a moral obligation existed to support an appropriation of public money for a private purpose."

The chief justice holds that act 144 of the session laws of 1911, constitutes an invasion of the judicial power, and is an illegal attempt to divert public funds to private use, and hence, is not a rightful subject of legislation within the meaning of section 55 of the Organic Act.

Justice Perry's Views. Justice Perry, in his decision, deals particularly with the pardoning power, of which he holds this refund act to be clearly a violation of the principles governing such power, which was conferred by congress to the Governor alone. He states that the "full and free" pardon granted Cummins by the president of the Republic of Hawaii in July, 1918, "can not correctly be construed as intended to absolve Cummins from the fine which he had already paid, and does not have that effect. It relates solely to the civil disabilities which he was still under in consequence of the conviction. The appropriation was intended to be not in aid of any pardon granted by the executive department but in spite of the executive's refusal or failure to pardon."

Justice Perry considers that the only reason for the enactment of the refund act was that the legislature felt satisfied that Cummins pleaded guilty to treason through inadvertence and misunderstanding, that the conviction was erroneous or unjust, and that the appellant was in fact not guilty of the offense charged—in other words the legislature was dissatisfied with the judgment and wished to render its own.

Decide Against John Cummins. He says on this point: "It never could have been the intention of the framers of our Organic Act to prohibit the legislature from remitting a fine and yet allow that same body to accomplish the same result by compelling the fine, when paid, to be refunded." After quoting authorities he continues:

"That which the legislature may not do directly, it may not do by indirection. The mere lapse of time since the conviction and sentence is immaterial. If the legislature may accomplish this result at the end of sixteen years, it may do so sixteen months or sixteen days after sentence."

## WIRELESS MAN FINED \$2,500.

NEW YORK, May 30.—Samuel B. Bogart, vice-president of the United Wireless Telegraph Company, who pleaded guilty to fraudulent use of the mails in advance of his five associates, was fined \$2,500 today in the United States circuit court. He will pay later today and go free. Christopher Columbus Wilson, president of the company, and four others are in jail.

William A. Pinkerton, the detective, has been called to London by Winston Churchill, home secretary, to become adviser in chief of the secret service men who will guard visitors against the horde of crooks now flocking to that city in the expectation of taking rich plunder during the coronation.



# REST AND PEACE

Fall upon distracted households when Cuticura enters.

All that the fondest of mothers desires for the alleviation of her skin-tortured and disfigured infant is to be found in warm baths with

# CUTICURA SOAP

And gentle anointings with Cuticura Ointment.

